La Gendarmería Nacional, Mexico’s Inadequate Solution to Drug Cartel Violence

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LA GENDARMERÍA NACIONAL, MEXICO’S INADEQUATE SOLUTION TO DRUG CARTEL VIOLENCE

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I. INTRODUCTION

Since 2006, roughly “100,000 people have died and more than 20,000 have disappeared...” in Mexico as a result of drug cartel violence.1 The Mexican government’s proposed solution to reduce violence is the implementation of a new police force, La Gendarmería Nacional (“La Gendarmería”).2 Meanwhile, the Mexican people, tired of the perceived government inaction, formed vigilante forces to reduce the violence.3 As a subset example of the vigilante movement, this Note will focus on the vigilante forces within the Mexican state of Michoacán, known as the “Autodefensas.”4 The Autodefensas and La Gendarmería differ in their methods to reduce violence. Although both groups’ goal is to reduce violence in Mexico, the difference in approach creates a tension between them. This Note will argue that the Mexican government’s implementation of La Gendarmería is inadequate to reduce drug cartel violence in Mexico because it primarily focuses on protecting the government’s economic reforms which do not address the public’s ongoing oppression under the Templarios Drug Cartel of Michoacán. The discussion of La Gendarmería’s inadequate conduct begins in Part II, which focuses on two mechanisms to reduce violence in Michoacán, the Autodefensas and La Gendarmería. Part III defines the respective violence reduction methods of La Gendarmería and Autodefensas. Part III then demonstrates that the respective methods are incompatible. Part IV emphasizes the conflicts arising out of the tension between the Autodefensas and La Gendarmería. Part V proposes possible reforms for La Gendarmería based on France’s similar police force, the Gendarmerie National (French Gendarmerie).

4. Id. Michoacán has been subject to the dominant control of Los Caballeros Templarios (Templarios), a drug cartel in the state. Id.
II. TWO DIFFERENT MECHANISMS TO REDUCE VIOLENCE: AUTODEFENSAS AND LA GENDARMERÍA NACIONAL

Mexico seeks to reduce violence. Two distinct mechanisms arose to reduce the violence in Mexico.5

A. Autodefensas

The Autodefensas arose in Michoacán as a direct response to the Mexican government’s inability to protect the citizens from the Templarios, the Mexican drug cartel. The Autodefensas are vigilante forces that operate throughout the Mexican state of Michoacán.6 The drug violence in Michoacán escalated in 2006 as a result of former Mexican President Felipe Calderón’s war against organized crime.7 The Autodefensas formed because the Mexican government failed to protect the citizens of Michoacán from the violence and oppression perpetrated by the Templarios.

In February of 2013, the Autodefensas in the Mexican state of Michoacán began to directly combat the Templarios.8 The Templarios dominate the rural areas of Michoacán due to the lack of infrastructure in the state, specifically a legitimate local police force.9 The Autodefensas

5. One mechanism is Michoacán grassroots vigilante forces known as Los Autodefensas. The second is a government created police force, La Gendarmería. The following part of this Note will identify the differences in the two mechanisms to reduce violence in Mexico.
6. Oscar León, Mexico’s Vigilante Groups Are a Force to Reckon with for Drug Cartels and Army, THE REAL NEWS (last visited Nov. 3, 2014), http://therealnews.com/t2/index.php?option=com_content&task=view&id=31&Itemid=74&jumival=11417. Michoacán is located in the Southwest of Mexico. Id. The state is located on the Pacific Coast, which enables its robust agricultural economic activity. Id. The strong agricultural background makes the state particularly appealing to drug cartels seeking to make a profit. Id. Autodefensa is Spanish for “self-defense.” A vigilante is defined as “a member of a volunteer committee organized to suppress and punish crime summarily (as when the processes of law are viewed as inadequate). MERRIAM-WEBSTER DICTIONARY (last visited Nov. 1, 2014), http://www.merriam-webster.com/dictionary/vigilante.
7. See Rama, supra note 1. In 2013, the homicide rate “dropped 13 percent, with 22,732 killings compared with 26,037 the year before, according to the Mexican census agency.” Archibold, supra note 2. The drop in homicides does not take into account the people who have been kidnapped, extorted, and other “quality-of-life crimes” that are still plaguing Mexico. Id. The amount of people missing is 22,322, with 9,790 of the individuals going missing during President Nieto’s term. Id.
8. Mexico’s Vigilantes, supra note 3. The Templarios are dominant in Michoacán, especially in the rural areas of the state. León, supra note 6. Los Templarios arose out of the fragmentation of the La Familia cartel. Id. La Familia took over Michoacán in 2006. Id. They began by importing crystal meth into the United States before becoming wealthy and large enough to take over Michoacán. Id. The Templarios are reported to make as much as $74.6 million a year. Id.
9. Taylor, supra note 3. In fact, many of the local police force members work directly for the Templarios. León, supra note 6. The absence of a legitimate local police force leaves the citizens of Michoacán completely unprotected from the Templarios. GEORGE W. GRAYSON, THREATPOSED BY
formed in the rural areas of Michoacán because of the Templarios’ dominance.\footnote{León, supra note 6. The Autodefensas expressed their discontent with the lack of protection when “El Americano,” the leader of the Buenavista Autodefensas, stated, “la intención no es matar a Los Templarios, es sólo invitarlos a que dejen Michoacán. El gobierno federal, aseguró, no está haciendo su trabajo.” [The goal isn’t to kill the Templarios; it is only to invite them to leave Michoacán. The federal government is not doing their job.], Omar Sánchez de Tagle, De Templario a Autodefensa en Michoacán, ANIMAL POLÍTICO (Feb. 27, 2014, 6:52 AM), http://www.animalpolitico.com/2014/02/de-templario-autodefensa-en-michoacan/}  

The Autodefensas are comprised of common, untrained Michoacán citizens. These citizens are civilians that were former farmers, businessman, and professionals.\footnote{Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, CBS NEWS (Jan. 28, 2014, 7:59 AM), http://www.cbsnews.com/news/mexicos-vigilantes-legalized-and-put-under-military-umbrella/} As a result, the citizens and their families have been the primary victims of the Templarios’ violence because of their inability to protect themselves from the Templarios.\footnote{Tracy Wilkinson & Hector Becerra, Mexico’s Vigilante Movement Has a Strong U.S. Connection, L.A. TIMES, June 2, 2014, available at http://www.latimes.com/world/mexico-americas/la-fg-mexico-vigilantes-20140602-story.html. The direct burden of the violence motivates the Autodefensas to persist in their attempt to combat the Templarios. The Autodefensas estimate that their own forces are comprised of 20,000 men serving the force throughout Michoacán. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11.} The citizens lacked the formal police or military training needed to combat the Templarios.\footnote{Id. The need to protect the citizens of Michoacán motivates Los Autodefensas to combat the Templarios, despite that lack adequate weapons and combative training. Autodefensas de Michoacán Vuelven a Tomar Las Armas, UNIVISION NOTICIAS (Oct. 1, 2014, 10:10 PM), http://noticias.univision.com/article/2112273/2014-10-01/mexico/noticias/autodefensas-de-michoacan-vuelven-a-tomar-las-armas.}  

Despite their diverse backgrounds, the Autodefensas are connected through a sense of duty to combat the Templarios. The sense of duty derives from the desire to protect family and friends from the Templarios’ violence.\footnote{Wilkinson & Becerra, supra note 12. The commitment to combat the Templarios is demonstrated by Jorge Vázquez Valencia, founder and spokesman of the Autodefensas in Aguililla. Valencia stated, “Si somos pocos, tendremos que utilizar las armas . . . si toda la gente sale a las plazas es probable que podemos hacerlo con el menor número de muertes posibles” [We are few, we will need to use our weapons . . . if all the people leave the town square we will be able to succeed with few deaths], Autodefensas de Michoacán Vuelven a Tomar Las Armas, supra note 14.} Thus, the Autodefensas are committed to combating the Templarios despite the apparent risk of death or injury.\footnote{Id.}
B. La Gendarmería Nacional

“La Gendarmería realizará acciones de seguridad para prosperar” [The Gendarmería will act to ensure security].¹⁶ La Gendarmería was a major facet of Mexican President Nieto’s platform during the 2012 Mexican presidential elections.¹⁷ On August 22, 2014, La Gendarmería, at 5000 members, was inaugurated as the new special police force of President Nieto’s government.¹⁸

La Gendarmería is distinguished from previous corrupt Mexican police forces that were unsuccessful in reducing the violence in Mexico.¹⁹ The inadequate management of the police force was first established under Mexico’s first dictator, José de la Cruz Porfirio Díaz.²⁰ President Nieto intends to create an uncorrupt police force and identified three factors that distinguish La Gendarmería from previous government police forces.²¹ The three factors are: “a structure that is both police and military oriented,” “proximity with the Mexican citizens,” and the “ability to move quickly to wherever it is needed.”²²

¹⁶. José Roberto Cisneros Duarte, Gendarmería Nacional. Conoce la Nueva Corporación Policíaca en 9 Claves, mex.CNN MEXICO (Aug. 23, 2014, 6:11 PM), http://cnnespanol.cnn.com/2014/08/23/nueve-claves-para-entender-la-gendarmeria-el-nuevo-cuerpo-policial-mexicano/. The statement was made by La a Comisión Nacional de Seguridad (CNS) of Mexico. Id. Additionally, La Gendarmería is expected to “garantizar la seguridad de la población y sus bienes en rutas de tránsito de insumos y mercancías, de paso de migrantes, de producción agrícola, pesquera y forestal y otras que pudieran encontrarse vulneradas por la delincuencia en zonas rurales o marginadas” [guarantee the security of the population and their safety within the city and agricultural activity in agriculture, fishery, forestry, and any other activity that could be vulnerable to delinquency in the rural zones]. Id.


¹⁸. Id.

¹⁹. Archibold, supra note 2. The previous police forces unsuccessfully controlled the level of violence because of corrupt police leaders and politicians that managed the police. Id. David Shirk, professor at the University of San Diego who studies crime and policing in Mexico, found that “Mexico lacked standards in its police forces, making advancement largely up to officers’ relations with often corrupt superiors, and political leaders have had few incentives to make long-term efforts to clean up and professionalize local force.” Id.

²⁰. Grayson, supra note 9. Díaz created a personal guard, the Deadly Rurales, in order to attack his enemies to maintain control of Mexico. Id. Díaz’s police force began a subsequent trend of corrupt police forces. Id. Following Díaz, the Partido Revolucionario Institucional (PRI), a political party that governed Mexico for seventy years, continued the trend of corrupt police forces. Id. “The PRI . . . fashioned scores of law enforcement agencies distinguished by their corruption, brutality, and service to the self-described ‘revolutionary party.’” Id.


²². Id. The success of La Gendarmeria, according to President Nieto, will be measured “in terms
The rigorous and competitive officer selection process of La Gendarmería was Mexico’s first step to alter the trend of corrupt police forces. According to government officials, the rigorous selection process was established because, “the force . . . was expected to be a ‘new model’ of corruption-free policing.” The competitive process increases the likelihood that the selected officers are committed to reducing violence in Mexico. By creating a rigorous and competitive selection process, the Mexican government increases the likelihood that the selected officers are dedicated to serving La Gendarmería’s goal to reduce violence.

The highly selective process resulted in a diverse Gendarmería membership that facilitates the creation of a corrupt free police force. As previously mentioned, the government hopes to create “a ‘new model’ of corruption-free policing.” La Gendarmería could benefit from the lack of experience because the new officers are not derived from the unsuccessful police forces. For example, despite the lack of experience, a vast majority of the members have strong educational backgrounds. The combination of young, inexperienced, and educated members of La Gendarmería enables the government to implement and mold a new “corrupt-free” police.

In order to facilitate a corrupt free mentality within La Gendarmería, the Mexican government supplied the force with substantial resources. The Mexican government invested in three notable resources for La Gendarmería: wages, training, and equipment. The first investment was

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24. New Police Force in Mexico: The Gendarmerie, supra note 21. The large applicant pool, for very few spaces, created a competitive selection process. In fact, the primary characteristic that the government was looking for in their recruits was “their sense of duty” and ability to “move around and remain for long periods away from their homes.” Id.

25. Archibold, supra note 2. La Gendarmería’s “rank-and-file officers are young men and women—the average age is 28—with slightly older commanders drawn from federal police ranks.” Althaus & Córdoba, supra note 17. Among the 5000-member police force, only 326 members have experience in the military or security work. New Police Force in Mexico: The Gendarmerie, supra note 21.


27. Althaus & Córdoba, supra note 17. “Half the new officers have completed high school and a fifth have university degrees.” Id.

28. Duarte, supra note 16. According to la Secretaría de Gobernación of Mexico, “Hasta julio pasado, se habían ejercido 2093 millones de pesos de gasto para la Gendarmería” [2093 million pesos have been spent on the Gendarmeria since last July]. Id.
used to create relatively high wages for La Gendarmería officers. The second investment bolstered the quality of training that La Gendarmería officers received. The third investment was used to modernize the equipment of La Gendarmería. Further, the investment in the La Gendarmería has incited optimism within Mexico’s prominent scholars. Despite the promising implementation of a corrupt-free police mentality, La Gendarmería’s relatively small size renders it difficult for the force to reduce the level of violence in Mexico. The police force inaugurated in August was a fraction of the promised size at only 5,000 officers.

III. INCOMPATIBLE STRATEGIES OF THE AUTODEFENSAS AND LA GENDARMERÍA NACIONAL

The strategies of the Autodefensas and La Gendarmería are incompatible because of the differing methods to reduce violence in Mexico.

29. Althaus & Córdoba, supra note 17. According to Monte Alejandro Rubido (Rubido), the director of Mexico’s National Security Commission, the starting salary of a Gendarmería officer is $1000. Rubido states that the salary “isn’t a bad salary by the police standards in our country.” Rubido has further stated that La Gendarmería “will provide security for regions where murder, extortion, kidnapping and theft have disrupted economic and community life.” The increase in wages reduces La Gendarmería’s susceptibility to accepting bribes, thereby reducing corruption. Grayson, supra note 9. If La Gendarmería officers can provide for their families, then they are less likely to accept bribes as a means to support their families.

30. Partlow, supra note 23. The Mexican government recruited experienced officers from France, Columbia, Chile, Spain, and the United States to train the inexperienced Gendarmería force. Each of these seasoned officers draws their experience from similar and successful Gendarmería forces in their respective countries.

31. New Police Force in Mexico: The Gendarmerie, supra note 21. La Gendarmería is supplied with firearms, vehicles, and horses in order to conduct their activity. Specifically, La Gendarmería officers will be supplied with “7.62 and .223 mm assault weapons and 9-mm handguns such as Glocks and Magnums . . . 904 vehicles, including Jeep Patriots, Wranglers, Dodge Chargers, Nissan Titan pickup trucks, troop transport trucks and 100 horses for rural areas operation.”

32. Partlow, supra note 23. For example, Raul Benítez-Manaut, a researcher at the National Autonomous University in Mexico City, believes that La Gendarmería “will be a highly specialized group, with good training, with good salaries.”

33. Rama, supra note 1. “President Nieto initially promised a 40,000-member Gendarmería force. Division.” A direct explanation has not been given for the reduction in member size, but security expert, Raúl Benítez, found that La Gendarmería “was planned to be a very ambitious police force, separate from the federal police as well as the army. But there was a lot of infighting between the army, the navy and the federal police.” Althaus & Córdoba, supra note 17.

34. The government seeks to indirectly reduce violence by focusing on improving the Mexican economy. The Autodefensas, however, desire to combat the violence directly in order to realize the immediate protection of Michoacán citizens.
A. Autodefensas: Protecting Mexican Citizens

The primary goal of the Autodefensas is to protect the citizens of Michoacán from the Templarios drug cartel. The Templarios engage in activity such as extorting money from Michoacán citizens. The threat towards the family members of Michoacán citizens’ has even prompted several individuals to return to Mexico from the United States to join the Autodefensas. The returning Michoacán citizens demonstrate the Autodefensas’ strong desire to protect their families from the Templarios.

To further protect their families, the Autodefensas combat the Templarios that extort the economic activity of Michoacán citizens. The Templarios extort Michoacán citizens’ economic activity by disrupting agriculture and real estate activity. The extortion has resulted in the Templarios taking control of the agricultural activity of the citizens.

35. Wilkinson & Becerra, supra note 12. The nature of the extortion includes threatening to murder, kidnap, and rape the friends and families of Michoacán citizens. Althaus & Córdoba, supra note 17. Autodefensa Leno Miranda described the nature of the extortion as, “it had gotten to the point where they [the Templarios] told you when you could work, what you could charge for your products, and demanded a cut. You could be selling candy on a street corner and they’d charge you.” Wilkinson & Becerra, supra note 12. Leno returned to Mexico to join the Autodefensas after living in Santa Ana, California for eight years, where he worked in laying carpet and flooring. Id.

36. Id. Prior to the rise of the Autodefensas, the Templarios were virtually unopposed due to the lack of a legitimate police force. Thus, citizens were left in a vulnerable position when threatened by the Templarios. The vulnerability prompted Michoacán citizens to return to Mexico from the United States to join the Autodefensas. Id. For example, in 2014 “Jerry” returned to Michoacán from Long Beach, California. Id. He returned to Mexico to join the Autodefensas to protect his family members from the Templarios. Id. Jerry described the situation in Michoacán when he stated, “[i]t was a huge mess here: kidnappings, murders, dead people strung up. Now it’s a bit more tranquil.” Id. Jerry is one of several individuals that returned to Michoacán to join the Autodefensas. Id. Other examples include Cuauhtémoc Espejo, who was living in the Central Valley of California. Id. Espejo’s view on the situation in Michoacán is that “[t]here is a lot of fear, uncertainty now.” Id. Yet, it does not deter these individuals from returning to Michoacán. Many of the individuals returning to Michoacán worked in factories and farm fields. Id.

37. Id. In addition to returning to fight for the Autodefensas, individuals in the United States indirectly offer support to their family members. Id. There have been fundraisers in several California cities, Chicago, Las Vegas, New York, and Washington. Id. According to Jose Sandoval, a support organizer, “the money collected has paid for food, medicine and other needs—but not for weapons . . . trying to lift their loved ones in a homeland whose government has failed to fulfill basic obligations.” Id. Sandoval stresses the main point of donating money is because “We have mothers and sons and brothers and sisters in Mexico, and we send that money so that they live a little bit better.” Id.

38. León, supra note 6. Michoacán is well known for its lemon and avocado production. Id. Michoacán also has a substantial fishing and mining industry. Id. For example, Estanislo Beltrán (Beltrán), a spokesperson for an Autodefensa force, testified that the Templarios “took a cut of everything, of every business. If you sell a cow to be sacrificed, you have to give them a cut, about 10 pesos for every kilogram of meat.” Id.

39. Partlow, supra note 23. For example, in the lime industry, the Templarios allow the citizens to harvest the limes. Id. The Templarios begin to interfere with the agricultural process when the limes
Another economic activity that the Templarios control is the real estate in Michoacán. The protection of economic activity provides motivation, in addition to protecting family members, for the Autodefensas to combat the Templarios.

Reducing the Templarios dominance in the economic sector contributes to the overall goal of reducing violence because the Autodefensas increase their ability to defeat a less dominant cartel. In 2014, the Autodefensas successfully began to reduce the Templarios’ ability to extort Michoacán citizens. The Autodefensas began to combat unlawful property seizures. For example, when the land is recovered, it is promptly returned to the rightful owner.

The Autodefensas’ success in reducing the Templarios’ dominance in the economic sector of Michoacán promoted a sense of authority in the force. The Autodefensas’ victory over the Templarios strengthens the authority of the force because they successfully reduce the cartel’s influence in Michoacán.
The Autodefensas assert their authority by maintaining control of the towns they recover from the Templarios. The recovered towns are routinely patrolled by the Autodefensas. In addition to the patrols, the Autodefensas expel police forces that they consider ineffective. As more towns are recovered, the Autodefensas further reduce the influence of the Templarios in Michoacán.

The authority of the Autodefensas is potentially compromised by the Templarios infiltration in the force. The Templarios claim that members of the Autodefensas are also concurrent members of the drug cartel. The authority of the Autodefensas is further injured when the Autodefensas allow former Templarios' members to join their forces. However, the Autodefensas take precautions to reduce the threat of drug cartel infiltration. It is difficult to ascertain where the loyalty of the Autodefensas is potentially compromised by the Templarios infiltration in the force. The Templarios claim that members of the Autodefensas are also concurrent members of the drug cartel.

The Autodefensas take steps to ensure that a recovered town does not fall back into the control of the Templarios. As a part of the patrol, the Autodefensas set up road checkpoints to monitor movement in and out of the towns. For example, the Autodefensas known as the Self Defense Council of Michoacán (CAM) set up a checkpoint in the Chuquiapan city outskirts with the purpose of regulating movement in and out of the city.

Criminal bosses are also apprehended or killed if necessary to expel the Templarios' influence. According to Gregorio López (Goyo), párroco del municipio de Apatzingán [a town in Michoacan], "Sólo en Apatzingán . . . Cada día son más los criminales que se enrolan con la Fuerza Rural. Esto es una vergüenza, un hazmerreír de la justicia" [priest in Apatzingán, with every passing day the criminals enroll in the La Fuerza Rural. This is an embarrassment, and a mockery of justice]. Goyo further testifies that property recovered from Los Templarios is being redistributed among the vigilante members. For example, Servando Gómez (La Tuta), leader of Los Templarios, stated that several Autodefensas are members of the cartel or work for the cartel. La Mayoría de los Autodefensas Eran Templarios, Dice 'La Tuta,' INFORMADOR (Oct. 28, 2014), http://www.informador.com.mx/mexico/2014/556463/6/la-mayoria-de-los-autodefensas-eran-templarios-dice-la-tuta.htm. Los Templarios also accused the Autodefensas of aiding rival drug cartels, like New Generation from Jalisco. Mexico to Integrate Vigilantes Into Security Forces, BBC NEWS (Jan. 28, 2014), http://www.bbc.com/news/world-latin-america-25924386.

José decided join the Autodefensas because, "me mataron a dos familiares que quise mucho, sólo que, cuando me los asesinaron, no podia hacer nada, ni cómo defenderme, pero ahora si tenemos armas con qué evitar que esta gente entre" [They killed two family members that I loved very much and when they killed them, I could not do anything, but now we have weapons that we can use to defend ourselves]. José is closely monitored by the Autodefensas. According to Pedro, an Autodefensa leader, José (a former cartel member) is not likely to betray the Autodefensas because "Sabemos dónde vive, conocemos a sus hijos y fue su esposa quien nos lo entregó y lo puso a trabajar en algo decente" [We know where he lives, we know his children and it was his wife who referred him to us and put him to work a decent job].
Autodefensas members truly lie. However, the interest in protecting family is strongly indicative of their commitment to the Autodefensas.

The Autodefensas remain credible with the people of Michoacán because they continue to reduce the Templarios’ violence.

B. La Gendarmería Nacional: Protecting the Mexican Economy

La Gendarmería is President Nieto’s mechanism to reduce violence in Mexico. President Nieto envisions “una gendarmería nacional, precisamente con el apoyo de los militares que prestan esta labor de seguridad pública” [a force with the support of the military to ensure public security].

The Mexican government seeks to reduce violence in Mexico and improve its economy by utilizing La Gendarmería. Violence is one of the major issues that President Nieto addressed when he took office in 2012. According to President Nieto, the government will utilize La Gendarmería as a mechanism to “contain and break up organized crime groups that undermine economic activity wherever required.”

Autodefensas require that former cartel members demonstrate their commitment to the force. Id. Before a former Templarios’ member is trusted to fight with the Autodefensas, “lo pusieron a limpiar baños, servir comida, recoger basura y hacer mandados” [they had him clean the restrooms, serve food, pick up trash, and run errands]. Id.

See supra note 49.

1. The Autodefensas protect the people. Protecting the people has earned their support because the Autodefensas are the only force successfully combating the Templarios.

52. Althaus & Córdoba, supra note 17.

53. Peña Nieto Propone Crear Una “Gendarmería Nacional” Contra el Narcotráfico, CNN Mex. (Apr. 9, 2012, 5:12 PM), http://mexico.cnn.com/nacional/2012/04/09/pena-nieto-propone-crear-gendarmeria-nacional-contra-la-violencia. President Nieto further stated that the purpose of La Gendarmería is to provide “greater quantitative and qualitative reaction capacity to the federal police” and ensure “public peace . . . to protect family, school and work spaces.” Althaus & Córdoba, supra note 17. El secretario de Gobernación, Miguel Ángel Osorio Chong, further expanded on the goal of the force when he stated, “[e]l verdadero dato duro se alcanzará cuando la sociedad se encuentre tranquila y que el país se encuentre mejor” [the real goal will be realized when society finds tranquility and the country is in a better position]. La Gendarmería Nacional Tardará un Año Más e Iniciará con 5000 Elementos, CNN Mex. (Aug. 27, 2013, 12:10 PM), http://mexico.cnn.com/nacional/2013/08/27/pena-ofrece-evaluacion-de-seguridad-a-cinco-dias-de-su-primer-informe.

54. Narayan Ammachchi, Mexico Forms Special Police Force to Protect Businesses from Organized Crime, NEARSHORE AMERICAS (Aug. 25, 2014), http://www.nearshoreamericas.com/mexico-forms-special-police-force-protect-businesses-criminal-syndicates. The violence is a result of former President Calderon’s war against organized crime in Mexico. Rama, supra note 1. Mexico became the kidnapping capital of the world in 2013 where there were 1600 reported kidnappings. Id. “There have been more than 70,000 cartel-related killings since 2006.” Ioan Grillo, Mexico’s Cartel-Fighting Vigilantes Get Closer to Texas Border, NBC News (July 9, 2014), http://www.nbcnews.com/news/world/mexicos-cartel-fighting-vigilantes-get-closer-texas-border-n151441.

55. New Police Force in Mexico: The Gendarmerie, supra note 21. Thus, President Nieto opted to address the violence indirectly instead of continuing to engage the drug cartels in direct combat.
La Gendarmería is expected to improve the Mexican economy by protecting economic activity. The economic activity is related to a series of economic reforms.\textsuperscript{56} La Gendarmería is expected to ensure the implementation of the economic reforms by combating violence that threatens economic activity.\textsuperscript{57}

The government emphasizes the economic reforms because of their potential to drastically improve the Mexican economy. President Nieto clarified the importance of the reforms when he stated, “Mi propósito: ni rebajar ni ceder ni claudicar en el esfuerzo de las reformas. No pienso en una visión cortoplacista” [My proposition is not to reduce or give up on the push for reforms. My vision for the reforms is a long-term plan].\textsuperscript{58}

The Mexican government prioritizes the reforms in the oil industry because of the potential source of revenue for the economy.\textsuperscript{59} In order to improve the industry, the government privatized the struggling oil industry in 2013.\textsuperscript{60} The government’s decision to privatize the oil industry was unpopular with Mexican citizens.\textsuperscript{61} However, privatizing the oil industry demonstrates the government’s commitment to improving the economy.

\textsuperscript{56} Jan Martínez Ahrens, Mexico Ends 76-year-old State Oil and Gas Monopoly, \textit{El País} (July 22, 2014, 11:41 AM), http://elpais.com/elpais/2014/07/22/inenglish/1406040294_721527.html. Mexico’s economic reforms focus on improving the oil and agriculture sectors of the economy. \textit{Id.} According to Monte Alejandro, the director of Mexico’s National Security Commission, La Gendarmería has the duty of “guarding agriculture, mining, and oil … against criminal groups.” Rama, supra note 1.

\textsuperscript{57} Rama, supra note 1.

\textsuperscript{58} Javier Moreno, “Mi Pacto es con el Futuro de México,” \textit{El País} (June 9, 2014, 5:46 PM), http://internacional.elpais.com/internacional/2014/06/07/actualidad/1402167871_695303.html. The Mexican government anticipates that by 2018 500,000 new jobs will have been created. \textit{Mexico Congress OKs Political Reform, Paves Way for Energy Bill}, \textit{Reuters} (May 16, 2014), http://www.reuters.com/article/2014/05/16/mexico-reforms-idUSL1N0O20G620140516. Also, the oil production is expected to increase by 20 percent in that time frame. Ahrens, supra note 56.

\textsuperscript{59} Ahrens, supra note 56. Currently, the oil industry contributes to one-third of Mexico’s income. \textit{Id.} If the reforms to the oil industry are successful, expert reports claim “Mexico’s [oil] production could stabilize at 2.9 million barrels per day through 2020 and then rise to 3.7 million barrels per day by 2040.” \textit{Id.}

\textsuperscript{60} \textit{Id.} Prior to privatizing to oil industry, PEMEX, a government owned company, held a monopoly in the Mexico’s oil sector for over 70 years. \textit{Id.} On March 18, 1938 Lázaro Cardenas nationalized the Mexican oil industry, which was previously under the control of private American and English companies. \textit{Id.} In the past two years, PEMEX’s oil production has decreased “25 percent over the past decade to 2 million barrels per day—which threatens the country’s ability to pay its bills.” \textit{Id.} In 2013, PEMEX lost $9.3 billion dollars despite investment in the company over the last 13 years. \textit{Id.}

\textsuperscript{61} \textit{Id.} The Partido de la Revolución Democrática (PRD) political party strongly opposed the privatization of Mexico’s oil industry and “threatened to organize protests and use all legal resources
In addition to protecting the oil industry, the government is indirectly interested in improving the agricultural sector of the economy. This is demonstrated by the expectation that La Gendarmería will focus on all economic activity. La Gendarmería can thereby expect to be active in the rural areas of Michoacán where there is agriculture activity.

The government further intends to use La Gendarmería to create a safe environment that attracts foreign investors to the Mexican economy. Currently, the violence in Mexico discourages foreign investment. Investors have expressed that “security is one of the main demands” when considering investing in the Mexican economy.

The government will retain control over La Gendarmería’s activity to ensure that the force is utilized for the economic benefit of the Mexican people rather than foreign investors. By retaining discretion, the government maintains control of La Gendarmería. Maintaining the discretion protects the interests of the Mexican people, rather than foreign investors, who look to benefit from the economic reforms.

The government’s discretion over La Gendarmería is facilitated by the small size and mobility of the force. La Gendarmería was specifically designed to be small and mobile. La Gendarmería is expected to have the ability to address the issues that the government deems necessary.

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62. Rama, supra note 1. La Gendarmería has the task of “... guarding agriculture, mining, and oil and gas production against criminal groups” according to Monte Alejandro. Id. Monte Alejandro is the director of the National Security commission. Id. Unlike the oil industry, no major reforms have been implemented to improve the agricultural industry.

63. Id. Thus, the government’s interest in protecting economic activity includes the agricultural industry.

64. Ahrens, supra note 56. Foreign investment is particularly important to the newly privatized oil industry. The privatized oil industry needs foreign investors to purchase commissions that would allow them to harvest the oil.

65. Id. Foreign investment is discouraged because the violence raises the question of whether Mexico can ensure the protection of economic activity. Foreign investors have an interest in ensuring that their investment is free and secure from organized crime.

66. Ammachchi, supra note 54.

67. Althaus & Córdoba, supra note 17. Thus, individual companies will not be able to request the services of La Gendarmería. Id. Rubido, the director of Mexico’s National Security Commission, stated that La Gendarmería “won’t be used to protect particular companies.” Id. Rubido further stated that the government would deploy the force “where criminals have caused economic distress or threatened commerce or tourism.” Id.

68. Duarte, supra note 16. The size and mobility of the force enables the government to easily deploy the force to target areas across the country. Archibold, supra note 2: “Los gendarmes trabajarán en cuarteles móviles cuando el despliegue operativo sea de unos días y hasta de tres meses; en cuarteles semifijos cuando la presencia sea de hasta seis meses, y en cuarteles fijos cuando se requiera
The government’s goal of improving the economy is promising, but La Gendarmería’s sole emphasis on protecting economic activity does not address the violence occurring outside of the economic sphere. 69

IV. TENSION BETWEEN THE AUTODEFENSAS AND THE MEXICAN GOVERNMENT AS A RESULT OF THE INCOMPATIBLE STRATEGIES

The tension is a result of the incompatible strategies of Autodefensas and La Gendarmería. 70

A. Tension Between the Government’s Desire to Control Mexico’s Security and the Autodefensas’ Demand for Autonomy

The Mexican government and the Autodefensas have the same underlying goal, which is to reduce violence. Despite this same goal, the two sides differ in their method of reducing violence. The government created La Gendarmería, a special police force dedicated to protecting economic activity. 71 This option indirectly reduces violence because improving the economy is the primary goal. The Autodefensas, however, combat the drug cartels directly. 72 Both sides take steps to reduce violence in Mexico, but their respective methods are incompatible. 73 The incompatibility creates a tension between two groups even though they have the same overall goal of reducing violence.

The Mexican government’s method acknowledges the public need for peace because the violence is primarily borne by Mexican citizens. 74

69. The current utilization of La Gendarmería, emphasizing the economic activity, continues to subject the Michoacán citizens to the Templarios’ violence.

70. The government has an interest in maintaining control of Mexico’s security. However, the Autodefensas are reluctant to conform to the government’s laws because of their distrust with the government’s ability to protect the citizens of Michoacán.


72. Mexico to Integrate Vigilantes Into Security Forces, supra note 48. The direct engagement with the Templarios has been effective for the Autodefensas. Id. The force successfully reduces the Templarios’ dominance in towns throughout Michoacán. León, supra note 6.

73. The Mexican government’s interest in controlling the safety of Mexico conflicts with the Autodefensas who take the law into their own hands. Further, the Autodefensas are not interested in adhering to a Government that has unsuccessfully protected the Mexican people from the Templarios. Grillo, supra note 54.

74. New Police Force in Mexico: The Gendarmerie, supra note 21. The government did not disregard the interest of the Mexican citizens when creating La Gendarmería. Id. President Nieto stated that the objective of La Gendarmería “is to become a police force that is close to the people, sensitive,
However, the Michoacán citizens can reasonably expect La Gendarmería to be active in Michoacán when the force combats violence in relation to agricultural activity.75

To protect the Michoacán citizens, the Mexican government attempted to take control of the security system in Mexico by supporting the Autodefensas. The government supports the Autodefensas for two reasons: First, the Autodefensas effectively combat Los Templarios by reducing the dominance of the Templarios in Michoacán.76 Second, the Autodefensas become subject to government influence when receiving their support.77 The government support played a significant role in the success of the Autodefensas’ ability to reduce the Templarios’ dominance in Michoacán.78 This raises the question of whether the Autodefensas could succeed in recovering cities, like Apatzingán without the government’s support.

The government further attempts to control the security in Michoacán by conditioning the support for the Autodefensas on their adherence to supportive and absolutely respectful of human rights.” Id. The citizens of Michoacán are among those that need the protection of La Gendarmería because they are subjected to the Templarios’ violence. Id.75

75. Althaus & Córdoba, supra note 17. This expectation was established by el Senador Omar Fayad, presidente de la Comisión de Seguridad, when he stated that La Gendarmería “Se va a encargar de cubrir las zonas donde ningún otro cuerpo de seguridad llega, como zonas limítrofes entre entidades federativas, como zonas rurales. Se va a sumar a la nueva estrategia de seguridad” [It will be in charge of covering where no other security force is present, zones between federal entities, like rural zones. This is the new security strategy]. Jorge Monroy, Cadetes Al Frente de Primera Gendarmería en México, ECONOMISTA (Aug. 20, 2014), http://eleconomista.com.mx/sociedad/2014/08/20/cadetes-frente-primera-gendarmeria-mexico. Miguel Osorio Chong, Mexico’s Interior Secretary, further established the government’s interest in protecting Mexican citizens when he stated, “All the criminals who have hurt the Mexicans’ tranquility will have to fall.” Ioan Grillo, Mexico’s cartel-fighting vigilantes get closer to the Texas border, GLOBAL POST (July 7, 2014, 11:32 PM), http://www.globalpost.com/dispatch/news/regions/americas/mexico/140707/mexican-vigilantes-cartels-texas.

76. León, supra note 6. The Autodefensas are credible with the citizens because the force is comprised of Michoacán citizens that fight for their families. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11. The credibility of the Autodefensas ensures the government that the Autodefensas are fighting to reduce crime. The government, thus, has an interest in supporting the Autodefensas because of their credibility in reducing violence.

77. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11. The government supports the Autodefensas by supplying information about the Templarios and weapons. Id. The government supports the autodefensas by “formally providing them with weapons, uniforms, and training.” Mexico’s Vigilantes, supra note 3. According to government, they will supply the Autodefensas with “all the means necessary for communications, operations and movement” of the Templarios. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11.

78. Watson, supra note 43. For example, when the Autodefensas recovered Apatzingán, as described in Part II of this Note, the government supplied information that identified the locations of high-ranking officers in the city. Id.

79. See supra note 44.
government regulations. For example, the Autodefensas are required to submit a list of members to the government. These requirements enable the government to closely supervise the Autodefensas’ activities.

The Mexican government ultimately attempted to take control of the security in Michoacán by incorporating the Autodefensas into La Defensa Rural, a separate force from the Autodefensas and La Gendarmería. La Defensa Rural is a government run police force that leaves no discretion to the Autodefensas. However, La Defensa Rural is only temporary.

Many Autodefensas welcomed the incorporation into La Defensa Rural because of the opportunity to combat violence in Michoacán with the support of the government. Further, integration into a government police force allows the Autodefensas to work for the government instead of against it. However, support of La Defensa Rural remains the minority opinion with the Autodefensas.

Despite some support for La Defensa Rural, the tension persists because of the Autodensas’ distrust of the government. Several Autodefensas prefer to remain autonomous because of the government’s failure to protect the Michoacán citizens.

80. Id. For example, the Autodefensas are required to register every firearm with government officials. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11. The government also authorizes local non-government authority figures to issue handwritten firearm licenses to Autodefensas. Mexico’s Vigilantes, supra note 3. An example of an authority figure is Father Goyo, a priest in his town. Id.

81. Id.

82. Id. The government and the Autodefensas came to an agreement where members of the Autodefensas became incorporated into a government police force called La Defensa Rural. Id. On May 10, 2014, the Mexican government swore in 450 members of La Defensa Rural. Mexico’s Vigilantes, supra note 3. The Mexican Interior Department stated, “The self-defense forces will become institutionalized, when they are integrated into the Rural Defense Corps.” Mexico Legalizes Vigilante Groups in Michoacan, Welcomes Them in Fight Against Drug Cartels, supra note 11.

83. Mexico to Integrate Vigilantes Into Security Forces, supra note 48. The government stated that La Defensa Rural “will be temporary and under the control of the authorities to co-operate with the troops.” Id.

84. Mexico Legalizes Vigilante Groups in Michoacán, Welcomes Them in Fight Against Drug Cartels, supra note 11. Hipolito Mora, a vigilante leader stated, “The majority of us want to get into the police . . . I never imagined myself dressed as a policeman, but the situation is driving me to put on a uniform.” Id.

85. La Gente Vuelve a Retomar Labores de Seguridad: ‘No Nos Cumplieron’, Afirmó, INFORMADOR (Oct. 6, 2014), http://www.informador.com.mx/mexico/2014/552409/6/la-gente-vuelve-a-retomar-labores-de-seguridad-no-nos-cumplieron afirmar.htm. According to Luis Martínez, dirigente de la autodefensa de Coalcomán, Michoacán, “Tenemos (the Autodefensas) que volvemos a reactivar porque el Gobierno no nos ha cumplido” [We need to regroup because the government has not fulfilled their promise to reduce violence]. Id. “El Americano,” leader of the Buenavista Autodefensas, demonstrated the distrust with the government when he stated, “El gobierno no trabaja, no conoce y no actúa, nosotros le damos la información necesaria y ellos van y hacen su trabajo y ya, van a la captura de cualquier persona, pero luego las sueltan o las perdonan y ahí las ve uno rondando como si nada por Apatzingán” [The government does not work, does not notice or act, we give them
The desire to retain their autonomy puts the Autodefensas in direct conflict with the Mexican government seeking to retain control of the security in Mexico. Recently, Jose Manuel Mireles, a medical doctor and the leader of the Autodefensas in Apatzingán, Tepalcatepec was arrested by the Mexican government. Mireles illustrated his distrust of the Mexican government when he stated that the federal police forces are “uniformando criminales” (uniformed criminals). However, the Mexican government claims that Mireles’ arrest was justified because he violated the law.

To add to the conflict, La Gendarmería’s sole focus of protecting economic activity preserves the distrust with the government because the force does not address non-economic violence. The focus on economic activity neglects the violence associated with murder, kidnapping, and the necessary information and they make arrests, but then they set the captives free and they pardon them]. Tagle, supra note 10. “El Americano further expresses his discontent with the government when he states, “No, no está seguro porque no han limpiado prácticamente lo que es en el interior, no han limpiado bien. Yo no puedo ir ahí y andar así como andamos ahora sin armas. No, no es seguro, no sabemos realmente quién está ahí en el centro” [No, it is not secure because they have not cleaned anything. I cannot be without my weapons. It is not secure, and we do not know who is in the middle of all the corruption]. Id.


87. *Mexico Vigilante Leader Jose Manuel Mireles Arrested,* supra note 86. Mireles was arrested for failure to comply with the government’s “Firearms and Explosives Act.” Id. The “Firearms and Explosives Act” requires that the vigilantes register their firearms with the government. Id. Mireles violated the act by refusing to register all of the weapons with the Mexican government. Id. Mireles was later convicted for “portación de arma de fuego de uso exclusivo del Ejército y contra la salud, en su modalidad de narcomenudeo en la variante de posesión simple de marihuana y cocaína” [violating the law that requires him to register all his weapons with the government]. Sanjuana Martínez, “Soy un Preso Político”, SOSTENES (July 7, 2014), http://www.sostenes.unam.mx/2014/07/07/politica/015n1pol. Mireles refuses to comply with the government because he does not trust them. *Detención de Mireles, Sin Fines Políticos: Osorio Chong,* ARISTEGUI (July 4, 2014), http://aristeguinoticias.com/0407/mexico/detencion-de-mireles-sin-fines-politicos-osorio-chong/.


89. *Vigilantes Say Mexico Government Persecuting Them,* supra note 88. Miguel Ángel Osorio Chong, El secretario de Gobernación de Mexico, stated “El gobierno ha acreditado que se maneja de manera transparente y que está cumpliendo a cabalidad el no mezclar el tema de la seguridad con el tema político” [The government is operating transparently and it successfully separating security issues from political issues]. *Detención de Mireles, Sin Fines Políticos: Osorio Chong,* supra note 87.

90. León, supra note 6. Thus, it is unlikely that the force will protect any activity outside of that scope of activity.
rape in Michoacán.⁹¹ La Gendarmería, therefore, does not reduce the Templarios’ violence outside of the economic activity.

The government also does not guarantee that La Gendarmería will protect all crimes related to economic activity.⁹² The relatively small size of La Gendarmería, 5000 members, renders it difficult to rely on the force to address all the violence related to economic activity.⁹³ Thus, La Gendarmería is unable to fully address criminal economic activity in the state of Michoacán. The inability to protect the citizens from the Templarios preserves the distrust for the government.

B. Tension Leads to Altercations Between the Autodefensas and the Mexican Government

The Autodefensas do not rely on La Gendarmería to address the violence in Michoacán. The Autodefensas are reluctant to rely on La Gendarmería given that the force does not protect the families from non-economic violence.⁹⁴ Considering that many of the Autodefensas are combating the Templarios for the sole purpose of protecting their families, there is little incentive for them to disengage from fighting.⁹⁵ The reluctance to submit to Government control led to a series of altercations between the Autodefensas and federal police.

The altercations demonstrate two things: Citizens question the government’s motives and Autodefensas lack faith in the federal police force’s ability to effectively reduce the Templarios’ violence. Conflicts

⁹¹ Grillo, supra note 54. La Gendarmería’s potential activity in Michoacán is limited to the agriculture sector of the economy because La Gendarmería will only address violence effecting economic activity. Id.

⁹² Althaus & Córdoba, supra note 17. As previously stated in Part III, the discretion of where to deploy the force lies solely with the government. Id.

⁹³ Rama, supra note 1. Michoacán is not the only state that deals with criminal economic activity, so it is not likely that La Gendarmería will protect citizens in Michoacán on every appropriate occasion. Grillo, supra note 54. Guerrero is another Mexican state with similar drug cartel violence in rural areas of the state. Id. Additionally, given that privatization of the oil industry is a key aspect of the economic reforms, La Gendarmería will most likely prioritize protecting the oil industry before the agricultural industry in Michoacán. Michael Casey, Mexico Poised for an ‘Energy Renaissance’ Following Reforms, FORTUNE (Aug. 25, 2014, 2:24 PM), http://fortune.com/2014/08/25/mexico-poised-for-an-energy-renaissance-following-reforms/.

⁹⁴ Althaus & Córdoba, supra note 17. La Gendarmería is expected to primarily put their complete focus on protecting economic activity.

⁹⁵ Wilkinson & Becerra, supra note 12. Mireles describes that the Autodefensas “entramos a esta comunidad porque recibimos el reporte de la población de desaparecidos y secuestros, inclusive de que había una fosa clandestina con más de 30 cuerpos” [we entered this community after receiving reports from the public about disappearances and kidnappings of up to 30 people]. Autoridades Detienen en Michoacán a José Manuel Mireles, supra note 88. Any action on the part of the government that limits the Autodefensas has prompted altercations between both sides.
that lead to the physical altercations between the Autodefensas and the government are demonstrated by the following altercation. On January 5, 2014, Autodefensas entered the town of Paracuaro to expel Los Templarios from the town.\footnote{Mexico’s Vigilantes, supra note 3. While combating Los Templarios, the Autodefensas also disarmed federal police officers. \textit{Id.}} Upon entering the town, the Autodefensas engaged the Templarios, as well as the federal police, in combat.\footnote{Id.} First, citizens questioned the motives of the government when the altercation occurred.\footnote{León, supra note 6. Father Javier Cortez, an Autodefensa spokesperson, stated that the citizens were concerned because “How can it be that those [the federal police] who are supposed to take care of us can cause the death of civilians?” \textit{Id.}} Second, the Autodefensas lack faith in the government’s ability to effectively reduce the Templarios’ dominance.\footnote{By disarming the federal police force, the Autodefensas do not trust them any more than they would a Templarios’ member. \textit{Id.} For example, when the Autodefensas were recovering Apatzingán, the Governor of Michoacán disarmed the Autodefensas. \textit{Id.} Two days after the Governor disarmed the Autodefensas, the Templarios burned down a pharmacy two blocks from the municipal palace. \textit{Id.} Father Goyo, a representative of the citizens of Apatzingán, stated his concerns with the Governor’s activity when he stated, “[w]e should look into our Governor Vallejo, who just happened to visit the city right around the time when the worst gangsters were having a meeting, probably even protected by governmental security from the 21st Military Zone, which, as we know, are in the Templarios’ payroll.” \textit{Id.}} The conflict in Paracuaro exemplifies the tension between the government and Autodefensas.

The distrust in the government is further compounded by indications that the Templarios have a strong influence in the political sector of Michoacán.\footnote{Id. The Templarios actively support president Nieto’s political party, the Partido Revolucionario Institucional (PRI). \textit{Id.} According to an anonymous Military leader, La Tuta “made terrorist threats and ordered all of us to vote for the now governor [Fausto Vallejo].” \textit{Id.} La Tuta is the leader of the Templarios. \textit{Id.}} The citizens also question the Templarios involvement with President Nieto.\footnote{Archibold, supra note 2. The government is aware that the positive results of La Gendarmería will not be realized immediately. \textit{Mexico Congress OKs Political Reform, Paves Way for Energy Bill, supra note 58.}} The suspicious conduct of the governor, along with the Templarios support for the PRI, President Nieto’s political party, contributes to the strong sense of distrust with the Mexican government.

While President Nieto’s stance on reducing violence in Mexico appears promising, his solution to implement La Gendarmería is inadequate.\footnote{Mexico Congress OKs Political Reform, Paves Way for Energy Bill, supra note 58. “Pena Nieto’s energy reform, which forms the central plank of his vision to breathe new life into the economy.” \textit{Id.} By 2018, the government is aiming to have created 500,000 new jobs and increase oil production by 20 percent. \textit{Ahrens, supra note 56.}} It will take time for the economic reforms to mature and have a positive effect on Mexico’s economy.\footnote{Mexico Congress OKs Political Reform, Paves Way for Energy Bill, supra note 58.} The people of Michoacán do not have this
time because of the continued violence of the Templarios. Further, it is not in the best interest of the government to limit the effectiveness of the Autodefensas because the force has consistently demonstrated that they can reduce the Templarios’ violence. Thus, the tension persists between the government’s interests in limiting Autodefensa activity and the Autodefensa’s interested in protecting the people of Michoacán.

V. THE FRENCH GENDARMERIE NATIONALE: LA GENDARMERÍA’S INSPIRATION FOR REFORM

La Gendarmería should more closely model the French Gendarmerie Nationale (French Gendarmerie) in order to reduce violence in Mexico.

A. Mexico’s Partial Adoption of the French Gendarmerie Nationale

When considering the structure of La Gendarmería, the French Gendarmerie primarily influenced the Mexican government. The French Gendarmerie is France’s equivalent to Mexico’s Gendarmería force. In January of 2013, Jean Marc Ayrault (Ayrault), the Prime Minister of France, confirmed that the French government would support the implementation of La Gendarmería. Ayrault also confirmed President Nieto’s interest in modeling La Gendarmería after the French Gendarmerie.

104. Autodefensas de Michoacán Vuelven a Tomar Las Armas, supra note 14. Jorge Vázquez Valencia, fundador y vocero de las autodefensas en Aguillilla, stressed the people’s lack of patience because “Han pasado suficientes días desde que le dimos el ultimátum al gobierno y muchos más de que le entregamos documentación explicándole quiénes eran estás gentes” [Enough days have passed since we stipulated an ultimatum to the government and many more days since we provided them with documentation about who the culprits are]. Id.

105. Watson, supra note 43. Essentially, the government is asking that the citizens of Michoacán to trust that La Gendarmería will successfully reduce crime in Michoacán. Absent reductions in violence, the people of Michoacán are reluctant to trust the government.

106. This part will address how the French Gendarmerie primarily influenced La Gendarmería. Despite this influence, La Gendarmería would benefit from further modeling its force after the French Gendarmerie. By further adopting aspects of the French Gendarmerie, La Gendarmería could be in a better position to reduce the violence in Mexico. The French Gendarmerie presents three possible reforms for La Gendarmería: involvement in the Mexican communities, preemptive crime mechanisms (judicial, administrative, and military), and increase the size of the force.


108. Id. Ayrault stated that “Se nos hizo una petición de asesoramiento, y va a ser satisfecha, porque México quiere crear una gendarmería nacional sobre el modelo de la gendarmería nacional francesa” [We received and accepted Mexico’s request for our help in creating a Gendarmerie similar to the French]. Id.

109. Id. Ayrault stated, “He informado al presidente mexicano que una misión partirá a principios...
Structuring La Gendarmería after the French Gendarmerie established a promising foundation for La Gendarmería. However, Mexico’s current Gendarmería is not sufficient to reduce violence because it lacks certain infrastructure characteristics that are found in the French Gendarmerie.

B. Enhancing La Gendarmería: Three Avenues for Reform Suggested by the French Gendarmerie Nationale

The French Gendarmerie forms an integral part of France’s security system because of their substantial involvement in the communities they serve. The force operates in three separate capacities: Judicial, Administrative, and Military. The force also has a mobile unit that is available at the discretion of the government.

A current comparison to the French force demonstrates that the Mexican government is focused on the military responsibility of the French force. La Gendarmería’s focus on protecting the economic activity is similar to the French force’s Military responsibilities.

The implementation of the French judicial, administrative, and military responsibilities could preemptively identify and prevent potential Templarios violence. In addition to the judicial duties, La Gendarmería
would benefit from implementing administrative duties to constantly provide surveillance of the rural areas in Michoacán. By preventing, surveying, and combating the Templarios (judicial, administrative, and military respectively), La Gendarmería could effectively reduce violence in Michoacán.

However, La Gendarmería will need to increase its size before being capable of performing the judicial, administrative and military duties of the French Gendarmerie. When the force is capable of protecting the citizens, then the tension between the government and the Autodefensas will lessen.

VI. CONCLUSION

The Mexican Government and the Autodefensas have the same goal, which is to reduce violence. La Gendarmería is the government’s solution to lower violence in Mexico. The Autodefensas are the people’s solution to lowering violence. In order to reduce the tension with the Autodefensas and earn the respect of the people, the government will need to protect the oppressed people of Michoacán from the Templarios.

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